

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, JANUARY 17TH, 2006, AT 12:00 NOON, IN THE BOARD OF SUPERVISORS MEETING ROOM IN THE COUNTY COURTHOUSE.

THERE WERE PRESENT: Wayne Angell, Chairman
 Charles Wagner, Vice-Chairman
 Russ Johnson
 David Hurt
 Charles Poindexter
 Leland Mitchell
 Hubert Quinn

OTHERS PRESENT: Richard E. Huff, II, County Administrator
 Bonnie N. Johnson, Asst. County Administrator
 Christopher L. Whitlow, Asst. County Administrator
 B. J. Jefferson, County Attorney
 Sharon K. Tudor, CMC, Clerk

Chairman Wayne Angell called the meeting to order.

SEWER REPORT

Chris Fewster, Engineer, Anderson and Associates, presented the prepared Sewer Report.
Franklin County
Westlake to Hales Ford
Sewer Study

Overall Goals

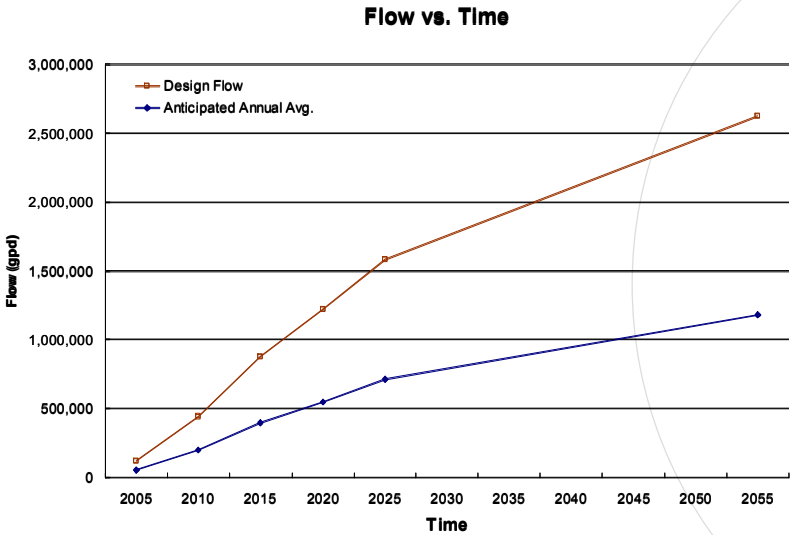
- Determine consequences of doing nothing
 - Address short term and long term wastewater disposal needs
 - Develop plan that can be sustained long term
 - Consider application to rest of County
 - Determine need for County regulations
 - Reduce uncertainty to developers, County, residents
- Areas of Development

Factors Effecting Projections

- Availability of water
- Current Land Use Plan
- Zoning changes
- Special Use Permit
- Allowance for open space
- Method of wastewater disposal

Wastewater Projections

Wastewater Projections



Drainfield Requirements

Drainfield Requirements

| Project | Existing | | 5 years | | 10 years | | 15 years | | 20 years | |
|-----------------------------------|----------|------------|---------|------------|----------|------------|-----------|------------|-----------|------------|
| | Deman | Field Area | Deman | Field Area | Deman | Field Area | Demand | Field Area | Demand | Field Area |
| | (gpd) | (acre) | (gpd) | (acre) | (gpd) | (acre) | (gpd) | (acre) | (gpd) | (acre) |
| Phase 1 - Sewer Shed 1 | 5,500 | n/a | 83,825 | 15.5 | 162,150 | 30.2 | 206,075 | 38.3 | 250,000 | 46.6 |
| Phase 2 - Sewer Shed 4 | 25,600 | n/a | 152,000 | 28.3 | 300,000 | 55.8 | 300,000 | 55.8 | 319,800 | 59.4 |
| Phase 3 - Sewer Sheds 6, 8, 9, 11 | 65,960 | n/a | 147,160 | 27.4 | 240,160 | 44.8 | 310,160 | 57.6 | 383,660 | 71.3 |
| Phase 4 - Sewer Sheds 10, 12, 13 | 1,050 | n/a | 6,500 | 1.1 | 25,000 | 4.7 | 40,000 | 7.4 | 60,000 | 11.2 |
| Phase 5 - Sewer Shed 5 | 0 | n/a | 0 | n/a | 0 | n/a | 25,000 | 4.7 | 50,000 | 9.2 |
| Phase 6 - Sewer Shed 7 | 20,000 | n/a | 38,000 | 7.0 | 62,000 | 11.5 | 129,200 | 24.1 | 171,200 | 31.9 |
| Phase 7 - Sewer Shed 14 | 0 | n/a | 0 | n/a | 25,000 | 4.7 | 100,000 | 18.6 | 175,000 | 32.6 |
| Phase 8 - Sewer Sheds 2,3 | 500 | n/a | 10,000 | 1.8 | 58,500 | 10.8 | 97,000 | 18.0 | 145,000 | 27.0 |
| Phase 9 - Sewer Shed 15 | 1,000 | n/a | 2,500 | 0.4 | 5,000 | 0.9 | 10,000 | 1.8 | 25,000 | 4.7 |
| Total | 119,610 | 0.0 | 439,985 | 81.5 | 877,810 | 163.4 | 1,217,435 | 226.3 | 1,579,660 | 293.9 |

Wastewater Regulation

- Local Regulations
- State Regulations
- Future Trends
-

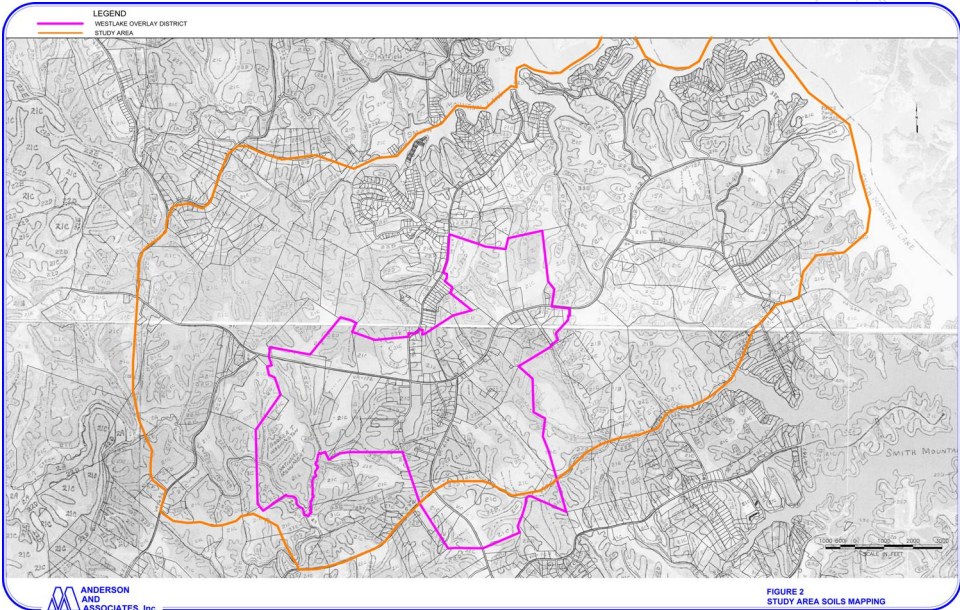
Onsite Disposal Considerations

Onsite Disposal Considerations

- Availability of suitable soils
- Use of open space for disposal areas
- Hydraulic “carrying” capacity of soils
- Reserve area requirements
- Cost of land
- Operational Considerations

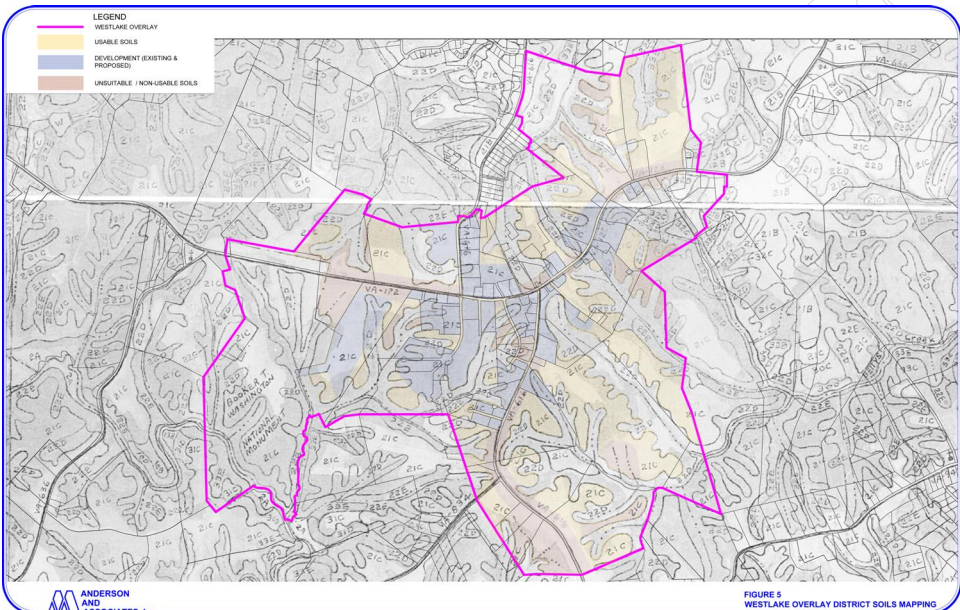
Map of Soils in Study Area

Map of Soils in Study Area



Map of Soils in Westlake

Map of Soils in Westlake



Onsite Disposal Considerations

- Availability of suitable soils
- Use of open space for disposal areas
- Hydraulic “carrying” capacity of soils
- Reserve area requirements
- Cost of land
- Operational Considerations

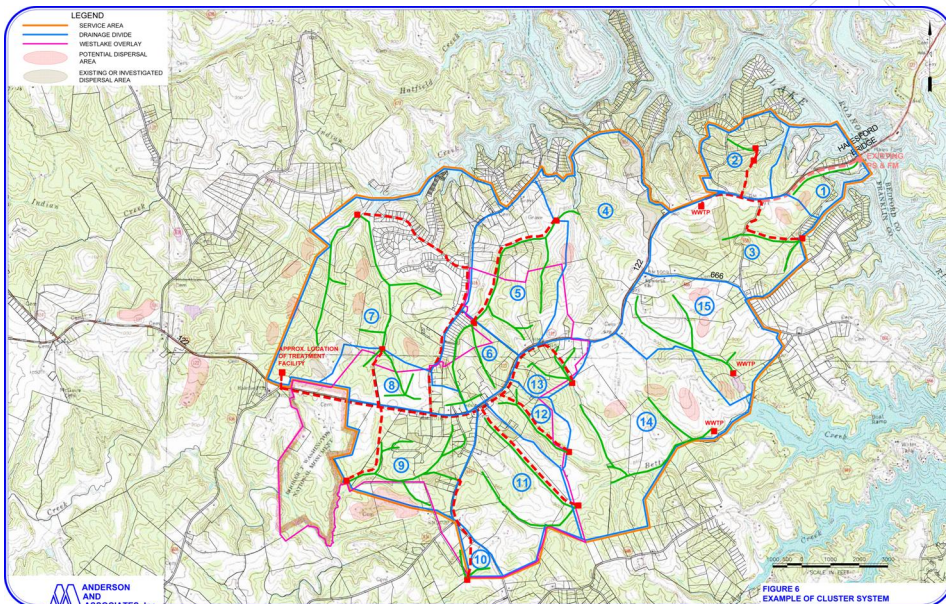
Discharge System Considerations

- Uncertainty of discharge limits
- Nutrient control
- Receiving stream capacity
- Protection of public water supply
- Operational Considerations

Cluster System

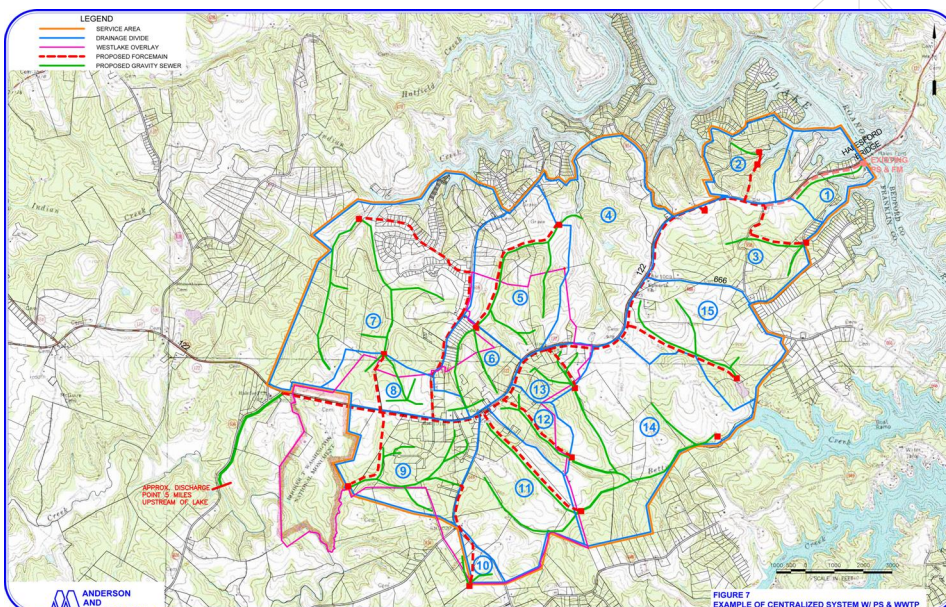
- Limit the number of treatment facilities
- Off Site Disposal Fields
- Operational Considerations
- Planning Considerations

Cluster System



Centralized or Regional System

Centralized or Regional System



Management Considerations

- Alternative 1: Do nothing
- Alternative 2: Private Ownership & Operation
- Alternative 3: County Ownership & Operation
- Alternative 4: Private Involvement with County Ownership/Operation

General Recommendations

- Update the existing land use plan for the area to reflect the desired type of development
 - Increased density and commercial development – centralized/regional system
 - Lower density and moderate commercial development – cluster system
- Westlake Overlay District could be enhanced by centralized collection system
- Allowance for general public use of wastewater system
- Develop code and policy to set minimum standards for wastewater facilities
- Develop plan that coordinates the wastewater facilities in Westlake that can ultimately be combined into a single system should the need arise
- Consider the use of public-private partnerships to expedite the development of wastewater facilities
- Should the County elect to move forward with involvement in wastewater facilities, system should be financially self supporting and user agreements should be obtained
- Encourage developers to create central treatment systems for their development to reduce the number of facilities in an areas
- Require contingency plans to address short and long term remediation of failed systems

- Consider the cost of developing and operating the selected wastewater alternative versus the financial benefit of the desired land use plan
- Consider the difference in financial commitment to become active in wastewater infrastructure at the current time versus at some future date
- Additional evaluation will need to be performed as the County further defines its role in wastewater infrastructure

Mr. Richard E. Huff, II, County Administrator advised the Board staff had received a request from the private sector requesting a joint ownership of sewer project within the Westlake and the Bridge and addressing the land use issues regarding development within the area. General discussion ensued.

The Board directed staff to bring back guidelines on the public/private procurement of such a facility.

Chairman Wayne Angell called the meeting to order.

Invocation was given by Supervisor Charles Wagner.

Pledge of Allegiance was led by Supervisor David Hurt.

CONSENT AGENDA
APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR DECEMBER 16TH, 20TH, 2005 & JANUARY 3RD, 2006
APPROPRIATIONS

| <u>DEPARTMENT</u> | <u>PURPOSE</u> | <u>ACCOUNT NUMBER</u> | | <u>AMOUNT</u> |
|-----------------------------|----------------------------------|----------------------------------|------|----------------------|
| Sheriff | Fuel Reimbursement | 3102- | 5408 | 16,337.00 |
| Sheriff | Travel Reimbursement | 3102- | 5501 | 3,210.00 |
| Sheriff | Medical Co-Payments | 3301- | 3001 | 3,710.00 |
| Sheriff | Supply Reimbursement | 3102- | 5409 | 156.00 |
| Sheriff | Food Supplies | 3301- | 5402 | 242.00 |
| General Properties | Walnut Run Escrow Funds | 4102- | 3002 | 1,498.00 |
| Commonwealth Attorney | Approp Child Abuse Victims Grant | 2201- | 5704 | 8,000.00 |
| J and D Court Services | Phone Reimbursement | 2109- | 5203 | 139.00 |
| Sheriff - Domestic Violence | Approp Violence Advocacy Grant | 3105- | 1001 | 31,060.00 |
| Sheriff - Domestic Violence | Approp Violence Advocacy Grant | 3105- | 2001 | 2,376.00 |
| Sheriff - Domestic Violence | Approp Violence Advocacy Grant | 3105- | 2002 | 1,553.00 |
| Sheriff - Domestic Violence | Approp Violence Advocacy Grant | 3105- | 2005 | 1,097.00 |
| Parks and Recreation | Skate Park Donation | 0029- | 7004 | 20,010.00 |
| Information Technology | School Board Data Line | 1221- | 5204 | 116.00 |
| Workforce | Travel Reimbursement | 8108- | 5501 | 17.00 |
| Library | Book Fines, Fees, Donations | 7301- | 5411 | 403.00 |
| Total | | | | 89,924.00 |

TOWN WATER CONNECTION TO TAX PARCEL 63.37.1/HANCOCK

Mr. Hancock is planning on purchasing Tax Parcel 63-37.1, but only if the percolation test is approved by the Virginia Health Department and the Board of Supervisors allows the water connection to the Town’s Water System.

The Town of Rocky Mount’s existing water line runs up Diamond Avenue and stops at Power Line Road. This parcel is the third parcel back from this intersection facing Diamond Avenue. Therefore, the water main is already in front of this property and only needs to be tapped and not extended.

RECOMMENDATION: It is recommended that the Board of Supervisors authorize the County Administrator to grant Mr. Hancock permission to connect to the Town of Rocky Mount’s existing water line, with the provision that should County water ever be available, the lot would be connected instead to the County water.

WORKFORCE DEVELOPMENT CENTER EDA GRANT APPLICATION

The Franklin County Workforce Development Consortium was established in 1999 to bring together representatives from local government, local school system, colleges, and community based agencies for the purpose of creating a “single service delivery system”, specifically addressing issues of employment, training, and education for the citizens and employers of the community. In July 2000, the Consortium also became a One Stop Center for the Western Virginia Workforce Development Board with the approval of the State. In August 2001, the Workforce Development Consortium moved into the upper level of the renovated West Campus High School facility. The Franklin County Workforce Development Consortium has recorded over 60,000 on-site customer transactions since August 2000. Many customers and employers have utilized and continue to access services addressing issues relative to employment, training, and education. The growth of workforce services and training programs has resulted in the demand for newly expanded space. The Board of Supervisors has authorized such an expansion with the design and financing of a new Workforce Center.

To date, the County has been fortunate to receive four grants to support this project as follows:

- 1) \$150,000 ; June, 2004 ; VA Tobacco Commission
- 2) \$700,000 ; August 2004 ; Community Development Block Grant (CDBG)
- 3) \$1,311,426 ; January 2005 ; VA Tobacco Commission
- 4) \$421,378; Nov. 2005 ; VA Tobacco Commission

Over the last 8 months, staff has diligently worked with the EDA Regional Office in preparation of submitting a grant application for approx. \$1,000,000 to support the construction of the new Workforce Center. Recently, staff was given verbal authorization to prepare a formal application. As such, the County expects to receive a formal “letter of invitation to apply” later this month. If a grant is awarded, the County will need to coordinate any EDA scheduling & authorization requirements around project bidding.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors adopt a resolution in support of a request for additional funding in the amount of \$1,000,000 from the Economic Development Administration to support the development of a new and expanded *Franklin County Workforce Development Center*.

COUNTY OF FRANKLIN, VIRGINIA

RESOLUTION AUTHORIZING AND APPROVING A U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT APPLICATION FOR FUNDING OF A NEW WORKFORCE TRAINING CENTER FACILITY AND THE CONSUMMATION OF THE TRANSACTIONS RELATED THERETO

A. The Board of Supervisors (the "Board") of the County of Franklin, Virginia (the "County") has determined that it is necessary and desirable to obtain grant funding in a maximum amount of \$1,000,000 in order to, along with other available funds finance the construction and equipping costs of a Workforce Training Center facility to be located on an approximately one acre site owned by the County and located along Randolph Street in downtown Rocky Mount, Virginia (the "Property").

B. The Board has determined that the financing of the Project will promote the health, safety and welfare of the County and its citizens and is in the best interests of the County and its citizens; and

C. The Board has held a public hearing in accordance with Section 15.2-1800 of the Code of Virginia of 1950, as amended (the "Public Hearing"), regarding the proposed execution and delivery by the County of one or more deeds of trust, lease agreements, security agreements or similar documents (collectively, referred to as the "Deed of Trust").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. An investment in a new workforce development center will help address the existing and future challenges concerning the workforce and the future economic vitality of Franklin County. Therefore, it is recommended the Franklin County Board of Supervisors adopt a resolution in support of a request for funding in the total amount of \$1,000,000 from the U.S. Department of Commerce Economic Development Administration to support the development of a new and expanded Franklin County Workforce Development Center.

2. Subject to the foregoing, the County Administrator is authorized to take any and all actions reasonable necessary or desirable to facilitate the purposes and intent of this resolution and the financing of the Project, including but not limited to, the publication of notices for, and coordination and satisfaction of, any public hearing requirements under applicable law. All prior acts of the County Administrator and other officers, agents or representatives of the County that are in conformity with the purposes of this Resolution and in furtherance of the financing for the Project are hereby approved or ratified.

3. This resolution shall take effect immediately.

Certificate

The undersigned Clerk of the Board of Supervisors of Franklin County, Virginia hereby certifies that the foregoing is a true, correct and complete copy of a resolution duly adopted by a majority of the members of the Board of Supervisors of Franklin County, Virginia present and voting during the meeting duly called and held on January 17, 2006, and that such resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof. A summary of the members present or absent at such meeting, and the recorded vote with respect to the foregoing resolution, is set forth below:

PURCHASE OF SHERIFF'S 2006 VEHICLES

The Franklin County Sheriff's Office is a law enforcement agency with local jail and law enforcement responsibility. It maintains a fleet of police vehicles necessary to carry out all functions and responsibilities. Field law enforcement vehicles are normally replaced around 125,000 miles and the better of these vehicles are then reissued or reassigned to support services such as prisoner transport or spare fleet vehicles. They are maintained in this capacity until they become unreliable or repairs and maintenance become cost prohibitive. Approximately eight vehicles are budgeted to be replaced annually.

The Sheriff's Office requests to order two new unmarked police vehicles for two Patrol Sergeant Supervisors. The vehicles currently issued to them are a 1997 unmarked Chevrolet Lumina with current mileage of 98,000 and a 2001 marked Ford Police Interceptor with current mileage of 93,000. The Chevrolet vehicle would be requested taken out of service due to age and repetitive maintenance repairs and the Ford vehicle would be reassigned to replace a high mileage jail fleet vehicle that would be taken out of service.

These two new requested unmarked vehicles would be new 2006 Chevrolet Impala Police package vehicles through state contract number 2090-60 at a cost of **\$19,175.00** each for a **Total cost of \$ 38,350.00.**

RECOMMENDATION

Staff respectfully request Board authorization to purchase the 2006 Sheriff's fleet from State Contract as presented.

(RESOLUTION #13-01-2006)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the consent agenda items as presented above.

MOTION BY: David Hurt
 SECONDED BY: Charles Poindexter
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

TREASURER'S MONTHLY REPORT

Ms. Lynda Messenger, Treasurer, presented her monthly Treasurer's Report. Ms. Messenger advised the Board Real Estate Taxes collection is at 95% and Personal Property Taxes is at 88% collection. Dog tags were up to 9,174 in January 2006 and January 2005 revenue for Dog tags is 3,872.

(RESOLUTION #14-01-2006)

BE IT THEREFORE RESOLVED by the Board to approve the Treasurer's monthly report as submitted.

MOTION BY: Russ Johnson
 SECONDED BY: Charles Wagner
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn, & Angell

TRANSFER OF WESTLAKE CENTER WATER SYSTEM

Bonnie N. Johnson, Assistant County Administrator, shared with the Board, The Westlake Towne Center water system has been built to Chapter 22 standards. It may be connected to the Phase I waterline in Westlake and provide excellent source and pressure for the Towne Center development. The tank within the Towne Center system will assist with fireflow and storage in the general vicinity.

Mr. Ron Willard, Sr., and Mr. Ron Willard II have worked with the County staff to develop a transfer proposal that is agreeable to all parties. The staff will work with the Willard Companies to provide satisfactory agreements for transfer of the appropriate system features, and to develop a coordinated plan to bring the water system under the Phase I “umbrella” of service.

RECOMMENDATION: It is recommended that the Board of Supervisors approve the transfer of the Westlake Towne Center water system to County ownership and management, and authorize the County Administrator as follows:

- To take the necessary actions to develop and execute the transfer documents (estimate of \$3,500) on behalf of the County with the approval of the consulting attorney and the County Attorney,
- To design (estimate of \$10,000) and construct an approved point of connection (estimate of \$80,500 plus contingency of \$5,000),
- To provide the proper inspection to assure no cross connection between the systems,
- To work with the Towne Center water staff to appropriately transfer customer records and other system documentation, service records and warranties,
- To accomplish the transition in operations and management to the County,
- To fund any associated costs to accomplish the transfer from the Phase I construction account #W09108-9997 (preliminary estimate of costs to County of approximately \$99,000),
- Upon transfer of the water system to County ownership, to provide public water service to the present and future customers in conformity with the “Rules and Regulations for Public Water Service”.

(RESOLUTION #16-01-2006

BE IT THEREFORE RESOLVED by the Board to approve staff’s recommendation as submitted.

MOTION BY: Russ Johnson

SECONDED BY: Charles Poindexter

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

OUT-COMMUTERS STUDY RESULTS

Dr. Harry Wilson, The Issues Management Group, shared with the Board the following:

Franklin County completed a phone survey of residents who work fulltime outside of the County to ascertain skill sets, job classifications, educational attainment, and education/training goals. This information is critical when marketing the County for business start-up, relocation, and expansion. The study is significant as 41% of Franklin County’s workforce leaves the County each day for employment in another jurisdiction. The survey was conducted by Dr. Harry Wilson of The Issues Management Group.

Dr. Wilson and County staff analyzed the data and the final summary report is submitted. This report once delivered to the Board of Supervisors will made available for public review on the County’s website.

Questions answered by the entire sample of 400 residents are subject to a sampling error of plus or minus 5% at the 95% level of confidence. This is the established standard margin of error for social science research. For open-ended questions, all responses were typed verbatim by the interviewers and coded by Dr. Wilson. Dr. Wilson developed the questions asked in the phone survey with assistance from County staff. As far as staff is aware, this effort is the first local government initiated study of commuting patterns in the Roanoke Valley as it relates to workforce dispersion.

Dr. Wilson will present a powerpoint presentation summarizing the results. Below are some of the initial highlights of the research. Staff feels that this information will be highly valuable when recruiting new economic development prospects as it demonstrates that Franklin County’s workforce is highly skilled AND interested in working in the County once the jobs in their respective fields become available.

Who commutes to work outside of Franklin County?

- The average commuter is 45 years old and earns between \$20,000-\$50,000.
- 96% of outcommuters have high school diplomas and one in four holds a bachelor’s or graduate degree. The educational attainment of outcommuters is higher than the average for Franklin County.
- Three-fourths of outcommuters reported an annual household income of more than \$50,000 per year and one-fourth reported a household income of more than \$90,000 per year.
- 62% of outcommuters have lived in the County for more than ten years. 22% have lived in Franklin for five years or less.
- Commuters are proportionally spread throughout the County. That is, relative to population, roughly the same percentages of the workforce outcommute from all magisterial districts.
- 44% of outcommuters work in Roanoke City and 24% work in Roanoke County. No other jurisdiction accounts for more than 7% of Franklin County commuters.
- A strong majority of those surveyed said they are interested taking classes to advance their education and work skills if those programs are made convenient. 65% of respondents indicated an interest in taking technology related classes.
- 81% of respondents indicated that they would consider taking a job in Franklin County. 76% of that group said they would take a job in Franklin County for the same or slightly lower salary than they earn presently
- The average commuter drives forty minutes to work, one-way.

Reasons for Living in Franklin County

Respondents were asked to rank (1-10 – Ten being the highest) the importance of several possible reasons to live in the County.

| Reason | Mean |
|----------------------------|------|
| Rural Atmosphere | 8.51 |
| Lower Taxes | 8.11 |
| Family/Personal Reasons | 7.97 |
| Quality of Housing | 7.78 |
| Cost of Housing | 7.30 |
| Educational Opportunities | 7.20 |
| Recreational Opportunities | 6.84 |

Reasons for Working Outside of Franklin County

| Reason | Very + Somewhat Important |
|---|---------------------------|
| Higher Salary | 90% |
| Suits Skills Better | 87% |
| Better Benefits | 85% |
| Prefer Present Job to Others | 71% |
| Had Job Prior to Moving to Franklin County | 45% |
| Closer to Home than Jobs in Franklin County | 44% |

Outcommuters’ Job Category

| Job Category | Percent | Mean Wage |
|-------------------------------------|---------|-----------|
| Professional, Scientific Services | 19.1 | \$37,000 |
| Health Care, Social Services | 12.7 | \$35,700 |
| Management | 10.8 | \$46,500 |
| Construction | 9.5 | \$35,300 |
| Finance, Insurance, Real Estate | 9.5 | \$40,300 |
| Information Technology | 7.3 | \$60,000+ |
| Administrative and Support Services | 5.7 | \$31,200 |
| Retail | 5.7 | \$40,300 |
| Transportation, warehousing | 5.4 | \$39,000 |
| Manufacturing | 4.6 | \$31,900 |
| Public Administration | 4.1 | \$45,000 |
| Education | 3.9 | \$39,500 |

| | | |
|---------------------------------|----|----------|
| Arts, entertainment, recreation | .8 | \$40,000 |
|---------------------------------|----|----------|

RECOMMENDATION:

No action is requested at this time. The presentation is informational.

VDOT – FREEDOM LANE/LIBERTY HEIGHTS

Mel Quesenberry, Resident Engineer, VDOT, presented the Board with the following resolution for their consideration:
Project: Liberty Heights Sec. 1

Freedom Lane, State Route Number: 1144

From: 122
To: Cul-de-sac
A distance of: 0.34 miles.

Right-of-way record was filed on with the Land Records Office in Deed Bk 829 Pg 2455, Deed Bk 836 Pg 531, Deed Bk 823 Pg 133, with a width of 50

WHEREAS, the street(s) described on the submitted Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the submitted Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

(RESOLUTION #16-01-2006)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned resolution as presented.

MOTION BY: David Hurt
SECONDED BY: Leland Mitchell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

COUNTRYSIDE SUBDIVISION

Mel Quesenberry, Resident Engineer, VDOT, presented the Board with the following resolution for their consideration:

Report of Changes in the Secondary System of State Highways

Project/Subdivision

Countryside Subdivision

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street
Pursuant to Code of Virginia §33.1-229

Route Number and/or Street Name

Old Farm Road, State Route Number 1224

Description: **From:** 919
To: Cul-de-Sac
A distance of: 0.34 miles.

Right of Way Record: Filed with the Land Records Office on 6/21/2002, Deed Book 745 Page 377, with a width of 50.

WHEREAS, the street(s) described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Harvest Ridge Court, State Route Number 1227

Description: **From:** 1224

To: Cul-De-Sac

A distance of: 0.06 miles.

Right of Way Record: Filed with the Land Records Office on 6/21/2002, Deed Book 745 Page 377, with a width of 50.

WHEREAS, the street(s) described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Little Creek Way, State Route Number 1228

Description: **From:** 1224

To: Cul-De-Sac

A distance of: 0.12 miles.

Right of Way Record: Filed with the Land Records Office on 6/21/2002, Deed Book 745 Page 377, with a width of 50.

WHEREAS, the street(s) described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Hay Field Drive, State Route Number 1229

Description: **From:** 1224

To: Cul-De-Sac

 A distance of: 0.08 miles.

Right of Way Record: Filed with the Land Records Office on 6/21/2002, Deed Book 745 Page 377, with a width of 50.

WHEREAS, the street(s) described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Hay Field Drive, State Route Number 1229

Description: **From:** 1224

To: Cul-De-Sac

 A distance of: 0.12 miles.

Right of Way Record: Filed with the Land Records Office on 6/21/2002, Deed Book 745 Page 377, with a width of 50.

WHEREAS, the street(s) described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Franklin County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

(RESOLUTION #17-01-2006)

BE IT THEREFORE RESOLVED by the Board to approve Countryside Subdivision street additions as submitted.

MOTION BY: Charles Wagner

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

TWIN COVES/PROPOSED ABANDONMENT

Mel Quesenberry, Resident Engineer, VDOT, presented the Board with the following resolution for their consideration:

WHEREAS, a public notice was posted as prescribed under Section 33.1-151, Code of Virginia, announcing a public hearing to receive comments concerning abandoning the section of road described below from the secondary system of state highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road, and

WHEREAS, after considering all evidence available to this Board, the section of described below is deemed to provide no public necessity,

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the following described section of road and removes it from the secondary system of state highways, pursuant to Section 33.1-151, Code of Virginia:

***Route Number and Name of Street: Route 1304, Cove Drive Length: 0.04 miles (215 ft.)
From: Cul de Sac (0.3 From Route 670)
To: 0.04 mile (215 ft.) beyond the Cul de Sac***

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

The Board requested Mr. Quesenberry to present additional data regarding the proposed abandonment for Twin Coves during the February 21st, 2006 meeting.

2005 AUDIT PRESENTATION

Ms. Deanna Cox, Auditor, Cox & Associates, presented the Board their 2005 Audit. Ms. Cox commended the Board on the audit process and findings.

In planning and performing our audit of the financial statements of the County of Franklin, for the year ended June 30, 2005, we considered the County's internal control structure to plan our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control structure.

However, during our audit, we noted certain matters involving the internal control structure and other operational matters that are presented for your consideration. This letter does not affect our report dated October 21, 2005, on the financial statements of the County. Our comments and recommendations, all of which have been discussed with appropriate members of management, are intended to improve the internal control structure or result in other operating efficiencies. We will be pleased to discuss these comments in further detail at your convenience, to perform any additional study of these matters, or to assist you in implementing the recommendations.

Authorized Signatures on Checks: During the course of our audit of expenditures, we noted several checks which did not include all of the required signatures. All of the checks were material in amount and were written manually. We recommend that the County institute procedures regarding the issuance of manual checks to ensure that they fall under the same controls as those checks being issued through the system.

Annual School Report: The Annual School Report which is required to be submitted to the Department of Education by September 30th of each year was not submitted by the required deadline. In addition, the report was not available for inclusion in the County's original submission of its Comparative Cost Transmittal Forms which are required to be submitted to the Auditor of Public Accounts by November 30th of each year. We recommend that every attempt be made to file this report by the required deadline in the future.

Triennial School Census: Every three years, the School Board is required to perform its triennial school census which is used to determine the amount of local sales tax allocations to be distributed to the various towns in the County. The School Board's census is not required to be broken down by the number of students in the Towns and in the County. In order for the County to make the proper allocations of local sales tax to the towns, a count of the students in each Town should be obtained by the County. In the future, it may be possible for the County to work with the School Board to facilitate that this breakdown by Town and County occur during the triennial school census process.

HUMANE SOCIETY OPERATION OF ANIMAL CONTROL SHELTER

Donna Essig, Humane Society, shared with the Board a listing of benefits for the Humane Society Operation of the County’s Animal Control Shelter. Discussion was held with staff managing the shelter. Additional resources to operate the shelter is acceptable to staff. The Board requested staff to present additional documentation regarding responses from Animal Control due to management of the shelter. The proposal will be included within the 2006-2007 budget deliberations.

The Franklin County Humane Society Inc. has proposed to take over management of the Franklin County Animal Shelter. We have listed the many benefits that the Humane Society will provide including public relations benefits, more adoptions, more hours open to the public and freeing up Animal Control Officers to do enforcement. There will be additional cost to the County and to the Humane Society. Some of the County’s costs will be offset by additional revenues due to increased enforcement.

We ask that the County cover basic management costs of \$113.50 per day (\$41,427.50 per year). The Humane Society will cover costs for advertising and veterinary supplies. We will provide additional services such as management supervision and veterinary services.

We believe that our management of the animal shelter will be a benefit to Franklin County’s image as a caring and progressive community. The county residents will have quicker response to their requests for Animal Control services. The Humane Society will have a central location to house lost or homeless animals. The lost and homeless animals will have more resources devoted to caring for them and finding them homes. We hope that the Board of Supervisors will quickly move forward on our proposal.

| Pros |
|--|
| Public Relations Benefits for County & Humane Society |
| Increase adoptions |
| Increase number of pets returned to owners |
| Decrease euthanasia |
| Increase hours open to public |
| Increase visibility through website, ads, press releases |
| Free up Animal Control Officers to do enforcement. |
| Increase revenues through more enforcement. |
| Full compliance on spay/neuter requirement and rabies vaccines. All animals will be spayed/neutered before adoption. Less follow-up, paperwork, & court cases. |
| Provides central location for lost/found/adoptable animals. |
| Veterinary care provided for disease control and injuries. |
| Our non-profit status will allow for donations & fundraising. |
| We will be able to utilize volunteers. |

| Cons | | | |
|--|------------------------------------|-------------|------------|
| Additional Cost to County. | | | |
| Additional Cost to Humane Society. | | | |
| HUMANE SOCIETY estimated costs for managing Animal Shelter | | | |
| Admin | Licenses, Permits | \$200.00 | Humane Soc |
| Admin | Office Supplies | \$500.00 | |
| Admin | Postage | \$390.00 | |
| Insurance | Liability | \$500.00 | |
| Insurance | Workers Comp | \$452.00 | |
| Maintenance | Cleaning supplies | \$400.00 | |
| Marketing | Advertising | \$1,200.00 | |
| Personnel | Health Insurance | \$3,000.00 | |
| Personnel | Medical Shots | \$200.00 | |
| Personnel | Full Time Salary/Wages | \$24,000.00 | |
| Personnel | Part Time Salary/Wages | \$8,568.00 | |
| Personnel | FICA- (full time) - employer match | \$1,836.00 | |
| Personnel | FICA (part time) - employer | \$655.45 | |

Humane Society

| | | | |
|---|---------------------------------|--------------------|----------------|
| | match | | |
| Personnel | VEC insurance tax | \$349.00 | |
| Professional Fees | Accountant | \$360.00 | |
| Professional Fees | Legal | \$0.00 | Humane Society |
| Shelter Supplies | Veterinary Medical Supplies | \$6,600.00 | Humane Society |
| TOTAL ESTIMATED COSTS | | \$49,210.45 | |
| Provided by Humane Society | Advertising, Veterinary Medical | | |
| Fundraising/Donations | Supplies | -\$7,800.00 | |
| Total management costs | | \$41,410.45 | |
| Humane Society Management Fee = \$113.50 per day | | \$41,427.50 | |

Services provided by the Humane Society:

- Shelter Management
- Supervision of shelter management by Humane Society Executive Director
- Veterinarians
- Veterinary Assistants
- Euthanasia Technicians
- Marketing/ Advertising/ Website
- Fundraising
- Veterinary supplies and equipment.
- Volunteers

Proposed shelter hours:
Open to the public 42 hours a week
9 am to 3 pm, 7 days a week
Staffed 8 am to 4 pm, 7 days a week

ACCESS MANAGEMENT

Chris McDonald, VDOT, Assistant District Traffic Engineer, Salem Office, shared with the Board making the most with what you have presently. Mr. McDonald stated VDOT’s plan to close some crossovers on State Route 220. General discussion ensued. Mr. McDonald stated traffic lights can outweigh multiple entrances with a fine art of defining on a case by case basis, used basically on primary roads. The question was asked VDOT’s role vs. County role. Mr. McDonald stated primarily the Access Management is left up to the County to comply with VDOT’s standards. The Board directed staff to follow-up with the Roanoke Valley – Alleghany Regional Commission (RVARC) as to the County’s ability to make access management happen with the current transportation needs.

Mr. Huff asked about the safety improvement study on St. Rt. 220 regarding the closing of cross-over lanes along with the highway corridors.

NOISE ORDINANCE

Lisa Cooper, Senior Planner, shared with the Board, due to recent complaints about noise in the County requested staff to draft a noise ordinance. The Board of Supervisors requested the ordinance to be simple in nature and to use a standardized measurement (i.e. decibels or dBA) as a method of measuring sound. The submitted draft ordinance targets loudspeaker / amplification equipment and exempts all other noises and therefore does not apply to home gardening, agricultural, construction, and / or industrial activities.

Following research, staff determined some Virginia localities (including Pittsylvania County) have adopted noise ordinances that use specific levels of sound or decibels as a means of regulating noise. These ordinances vary in complexity and establish varying sound levels for multiple land uses at various hours of the day. In drafting the submitted noise ordinance, staff utilized these ordinances, thereby establishing a point of reference or common noise decibels to determine an established sound level limit. More specifically, the draft noise ordinance targets or only prohibits loudspeaker amplification on all parcels of land when such noise exceeds specific sound limits during the day and evening as established as follows:

| | | |
|----------------------------------|-----------------------|------------------|
| | Sound Level Limit dBA | |
| | 7:00 am-10:00 pm | 10:00 pm-7:00 am |
| Receiving Land Use (All Parcels) | 60 | 55 |

Per the Board’s direction, staff could revisit this approach and could establish / relate additional sound decibel levels to varying uses of land during different times of the day as displayed or suggested in the following chart:

| Receiving Land Use | Sound Level Limit dBA | |
|----------------------------|-----------------------|------------------------|
| | 7:00 a.m. – 10 p.m. | 10:00 p.m. – 7:00 a.m. |
| Agricultural & Residential | 60 | 55 |
| Business | 70 | 65 |
| Industrial | 80 | 75 |

As another point of concern, please note the established decibel levels in the submitted ordinance have not been specifically field tested in our County by the staff, whereby a decibel meter would be used to measure noise from amplification devices in the recent complaint areas along Smith Mountain Lake. Without such testing there may be a risk, whereby the established noise levels within the draft ordinance may or may not be adequate enough to address all concerns. Staff should note other localities, such as the Town of Vinton, the Cities of Salem and Roanoke, the Counties of Bedford, Henry and Roanoke have adopted noise ordinances based entirely on officer discretion. This option was not considered in the submitted draft ordinance as some concern was raised at the November Board meeting that officer discretion may be too difficult to enforce through the Courts. The County Attorney has reviewed the submitted ordinance and notes the need for some differentiation between residential and commercial areas for decibel readings and that a possible time limit might need to be set as a standard. Also the question is raised if the County allows public parks/recreation fields to be exempt, should something that is privately owned with a similar purpose also be exempt.

The draft noise ordinance was distributed to the Board of Supervisors in the Friday packet of December 30, 2005 for review and comments by the Board of Supervisors. Staff received feedback concerning the need to consider noise levels on the water. Furthermore, a suggestion was made to consider including the NASBLA (National Assoc. of State Boating Law Administrators) Model Noise Act, which has been enacted by 33 states, and calls for a maximum of 75 dB(A) at the shoreline, and a max of 88 dB(A) at the exhaust of the vessel. Staff notes concern with the legal entity responsible for the enforcement of such a standard (i.e. What group(s) would have the authority to enforce, such as the Sheriff’s Department or Department of Game and Inland Fisheries?). Staff is researching this issue and has contacted these agencies, but has not received any comments regarding the proposed noise ordinance as of January 11, 2006.

NOISE ORDINANCE

Chapter _____: Noise Ordinance

Article I:

Sec. _____. Purpose.

The purpose and intent of this article is to establish standards and guidelines for the abatement of certain noises and to promote the health, safety and general welfare of the public.

Sec. _____. Definitions.

The following terms, words and phrases, when used in this chapter, shall have the meanings hereinafter ascribed to them, unless otherwise clearly indicated by the context in which used:

Decibel. A unit for measuring the volume of sound equal to twenty (20) times the logarithm to the base ten (10) or the ratio of the pressure of the sound in microbars to a reference pressure of 0.0002 microbar; and is abbreviated db(a) or dba.

Device. Any mechanism, which is intended to, or actually produces noise when operated or handled.

Emergency Work. Any work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from immediate exposure to danger, including work performed by public service companies when emergency inspection, repair of facilities or restoration of services is required for the immediate health, safety or welfare of the community.

Motor Vehicle. Any vehicle which is self-propelled or designed for self-propulsion including, but not limited to, passenger cars, trucks, truck-trailers, semitrailers, campers, motor boats and racing vehicles and any motorcycle (including, but not limited to, motor scooters, mini-bikes, all-terrain vehicles and three wheelers) as defined by Code of Virginia, §46.2-100, Definitions.

Noise. Any sound which may cause or tends to cause an annoyance or disturbance or which causes or tends to cause an adverse physiological or psychological effect on human beings.

Noise Disturbance. Any unnecessary sound which annoys, disturbs or perturbs reasonable persons with normal sensitivities; or any unnecessary sound which reasonably may be perceived to injure or endanger the comfort, repose, health, peace or safety of any person.

Sound. Any oscillation in pressure or particle medium with internal forces that causes rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Sound Pressure. The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space.

Sound Level. The weighted sound pressure level obtained by the use of a sound level meter and the A- frequency-weighting network, as specified in the American National Standards Institute Specification for Sound Level Meters.

Sound Level Meter. An instrument which includes a microphone amplifier, RMS detector, integrator or time average, output meter and weighting networks used to measure sound pressure levels.

Person. Any individual, corporation, cooperative, partnership, firm, association, trust, estate, private institution, group, agency or any legal successors, representative, agent or agency thereof.

Public Right-of-Way. Means any street, avenue, boulevard, highway, alley or public space which is owned or controlled by a public governmental entity.

Weighted Sound Level. The sound pressure level in decibels as measured on a sound level meter using the A-Weighing network.

Sec. _____. Administration and Enforcement.

The provisions of this article shall be enforced and administered by the Sheriff of Franklin County, who is hereby designated as the Noise Control Officer for the County of Franklin. The Sheriff may, in his discretion, ask for the assistance of other departments within the county in administering and enforcing the provisions herein.

Sec. _____. Noises prohibited. The following act is violation of this article:

- (a) Using or operating a loudspeaker or other sound amplification device in a fixed or movable position exterior to any building, or mounted upon any motor vehicle or boat or mounted in the interior of a building or vessel with the intent of providing service to an exterior area for the purpose of commercial advertising, giving instructions, information, directions, talks, addresses, lectures, or providing entertainment to any persons or assemblage of persons on any private or public property when such activities exceeds the Maximum Sound Pressure Levels as established in Section _____ of this Chapter.

Sec. _____. Maximum Sound Pressures Levels.

Table: Maximum Sound Pressure Levels

| Receiving Land Use Category | Sound Level Limit dBA | |
|---|-----------------------|------------------|
| | 7:00 am-10:00 pm | 10:00 pm-7:00 am |
| Receiving Land/Property Sound Level Limit dBA | 60 | 55 |

- 1. Sound shall be measured by the use of a sound level meter on the A-frequency-weighting network.
- 2. Sound shall be measured at the property line or right-of-way.

Sec. _____. Penalties and Violations.

- 1. Any person who violates any provision of this chapter shall be guilty of a Class 3 misdemeanor.
- 2. Each violation of any provision of this chapter shall constitute a separate offense, whether committed on the same or subsequent days.
- 3. The person operating or controlling a noise source shall be guilty of any violation caused by that source. If that can not be determined, any owner, tenant, resident or occupant physically present on the property or in possession of the noise source, is presumed to be guilty of the violation.

Sec. _____. Noises exempted.

- 1. Radios, sirens, and horns on sheriff, police, fire or other emergency response vehicles.
- 2. Parades, fireworks or other permitted special events or activities.
- 3. Sound amplifying equipment used at public parks or recreation fields.
- 4. Band performances or practices, athletic contests or practices and other school-sponsored activities on the grounds of public schools, provided that such activities have been authorized by school officials.
- 5. Religious services, religious events or religious activities, including, but not limited to music, bells, chimes and organs which are a part of such religious activity.
- 6. Commercial, industrial or business activities lawfully conducted on or permitted upon land, excluding noises prohibited as established in Section _____ of this Chapter.

The Board directed staff to strike verbiage within the draft ordinance which is redundant to any other level of noise other than loud music speakers not including heavy equipment machinery using one standard of measure.

RECOMMENDATION:

Staff respectfully requests comments and direction from the Board of Supervisors concerning the draft noise ordinance.

(RESOLUTION #18-01-2006

BE IT THEREFORE RESOLVED by the Board to advertise the draft noise ordinance as submitted for public hearing during the February 21st, 2006 meeting.

MOTION BY: Russ Johnson

SECONDED BY: Hubert Quinn

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

SIGN ORDINANCE

Lisa Cooper, Senior Planner, stated a Sign Ordinance presentation was made to the Board of Supervisors on October 18, 2005. A review of identified deficiencies/shortcomings of the existing sign ordinance and possible revisions to the ordinance were presented. Planning Staff made various suggestions to amend the sign ordinance to address churches, fraternal and civic organization signs, prohibited signs, signs for home occupations, entrance signs and onsite directional signs. After some discussion, the Board of Supervisors requested to continue working

on the update to the sign ordinance, but to move forward with any amendment(s) on churches, fraternal and civic organization signs.

Under the direction of the Board of Supervisors, staff recommended a new section be added to the existing sign ordinance to establish sign requirements thereby separating churches, fraternal and civic organizations from other types of signage. The Board further directed staff to consider varying sign limitations based on secondary, primary, and four lane divided highway locations. The suggested language was as follows:

25.156.14. Churches, Fraternal and Civic Organizations

- (a) No more than one freestanding monument type sign per lot not to exceed 32 square feet in area with a maximum height of 8 feet for any lot fronting on a two lane secondary road.
- (b) No more than one freestanding monument type sign per lot not to exceed 48 square feet in area with a maximum height of 8 feet for any lot fronting on a two lane primary road or highway.
- (c) No more than one freestanding monument type sign per lot not to exceed 60 square feet in area with a maximum height of 10 feet for any lot fronting on a four lane divided highway.
- (d) Building mounted signage not to exceed 32 square feet in the aggregate.

The Planning Commission held a public hearing for the amendment to the sign ordinance dealing with churches, fraternal and civic organization on Tuesday, November 8, 2005. The Planning Commission voted to recommend approval of the request to amend the Sign Regulations, Chapter 25, of the Franklin County Zoning Ordinance as presented with modifications. The Planning Commission raised concerns in regard to the overall size of the monument style signs and therefore recommended the overall size of a sign shall not exceed a ratio of 3:1 in relation to the size of the copy area of a sign (i.e. 32 sq. ft. sign could be no larger than 96 sq. ft. overall including base, supporting structure and decorative elements). The Planning Commission voted six (6) to zero (0) to recommend adoption of the sign ordinance amendment to include the 3:1 ratio language.

On December 20th, the Board of Supervisors held a public hearing for the amendment to the sign ordinance dealing with churches, fraternal and civic organizations on November. During the public hearing the Board of Supervisors voted the amendment be tabled until new language was developed and presented to the Board of Supervisor at their January 17, 2006 meeting. The Board of Supervisors requested staff look into increasing the size of a sign according to the road frontage and setback and to draft provisions for a sign to be part of an entrance wall without using the 3:1 ratio size limit.

Staff is proposing the following amendments to the existing sign ordinance for the Board of Supervisors' review and comment.

25.156.14.1.1 Churches, Fraternal and Civic Organizations

- a) No more than one freestanding monument type sign per lot not to exceed 32 square feet in area with a maximum height of 8 feet for any lot fronting on a two lane secondary road.
- b) No more than one freestanding monument type sign per lot not to exceed 48 square feet in area with a maximum height of 8 feet for any lot fronting on a two lane primary road or highway.
- c) No more than one freestanding monument type sign per lot not to exceed 60 square feet in area with a maximum height of 10 feet for any lot fronting on a four lane divided highway.
- d) Building mounted signage not to exceed 32 square feet in the aggregate.
- e) The combined square footage of the base, supporting structure and decorative elements of a freestanding monument type sign shall not exceed a ratio of 3:1 in relation to the size of the copy area of the sign. (i.e. The base, supporting

structure and decorative elements of sign with a copy area of 32 square feet shall not exceed 96 square feet).

- f) Any church, fraternal or civic organization with 300 or more feet of total road frontage and where the proposed sign is setback 35 feet or more from the front property line shall be able to increase the size of the freestanding monument sign including sign face and base by 25 percent.

- g) Any decorative entrance wall on which a sign is mounted shall be excluded from the 3:1 ratio in subsection (e). Such decorative entrance wall shall be considered the freestanding monument sign for the property and any submitted sign face shall

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors forward the proposed amendments to Section 25.156.14 to the Planning Commission for a public hearing, and following said public hearing that the Board of Supervisors advertise for a public hearing before them in regard to the proposed amendments to Section 25.156.14.

(RESOLUTION #19-01-2006

BE IT THEREFORE RESOLVED by the Board to send the proposed amendments to the Planning Commission for their consideration and advertise the draft amendments to the Zoning Ordinance regarding signs for the February 21st, 2006 board meeting.

MOTION BY: Russ Johnson
SECONDED BY: Charles Wagner
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

LAND USE REVALIDATION CYCLE

Staff was recently contacted by Mr. Jerry Cooper and Mr. Paul Simms asking that the County consider only requiring revalidation on land use applications every three to five years. Submitted is a copy of a memo dated October 17, 2005, from Mrs. Judy S. Crook, Commissioner of the Revenue, outlining what the pros and cons would be in her opinion if a less frequent revalidation cycle were to be considered. The savings are relatively modest and are outlined for you in the memo.

Citizens often complain about having to obtain the Schedule F for those who are leasing land in the land use program in order to fill out the revalidation forms annually. On the other hand, the Commissioner has indicated on many occasions that her office has reason to question a fair number of the applicants who indicate that their property qualifies for land use due to leasing relationships. The revalidation is a way to try to prevent any abuse in the program and to attempt to eliminate it when it is found on an annual basis. Mr. Cooper and Mr. Simms have asked for a few moments to make their request to the Board on this issue. State law allows for revalidation every year or as infrequently as every six years.

Paul Simms, stated his farm land is in the land use program. Mr. Simms requested the Board to consider changing the annual filing of the land use revalidation cycle. Mr. Simms requested the Board to consider the land use revalidation cycle to be reduced from annually to every 4-5 years along with the reassessment cycle. The Board advised staff to place on the agenda during a future budget work session.

SHERIFF’S COMPENSATION PAY PLAN STUDY

Sheriff Overton withdrew his request to have the Sheriff’s Department Compensation Pay Plan studied at this time and asked the Board down the road (approximately six months or so), to meet with the Sheriff’s Department and schedule a work session for the Compensation Pay Plan Study. Sheriff Overton, urged the Board to consider the adoption of the VRS Employee Share placed in the 2006-2007 Budget. Sheriff Overton stated the VRS Employee Share was a great tool used and currently needed in attracting / hiring new employees.

COVE DEVELOPMENT PROJECT

Frank Fiori, Director of Planning and Community Development, shared with the Board an update on the Cove Development Project.

Overview and briefing of “The Coves” proposed Residential Planned Development.

- 79.4 total acres proposed to be rezoned to RPD
 - currently 12.6 acres zoned R-1
 - currently 66.8 acres zoned A-1

- The applicant is also requesting Special Use Permits for private roads, RV and boat storage area, and public utilities
- The development has a total of 54 lots
 - 18 duplex townhouse units
 - 36 single family lots
- The project is to be served by community sewer and water
- A clubhouse for residents will be constructed
- The project will have private roads with bike trails
- There will be walking trails constructed throughout the development
- There will be community docks with 22 slips
- There will be individual on the waterfront lots
- There will be a total of ±40 acres of open space, with ±6 acres being developed open space. This provides the 50% open space required by ordinance.
- There will a shoreline buffer zone of 20 feet in width.
- The applicants are requesting the following deviations:
 - The applicant is requesting a minimum lot width of 56 feet where 75 feet is required. A deviation of 19 feet.

- The applicant is requesting a zero lot line setback for the side yard for the townhouse lots to provide for party walls. The minimum side yard setback is ten feet. The deviation requested is ten feet.

- Recommended proffers and conditions are noted in the staff reports

Russ Johnson, shared with the Board the following points of possible concern pertaining to the Cove Development:

1. View-shed interference/change/Simulation or balloon test.
2. Affluent discharge/Require ultraviolet treatment, bond/hold back for the system and require a test well
3. Soil and Erosion requested/“Special” bond and difference techniques
4. Use or Road (Sandford Lane)/ Agreed to with neighbors **before** Board meeting and Abandon the easement
5. 945 Traffic/Ask for a traffic study

CODE AMENDMENTS – PUBLIC UTILITIES

Frank Fiori, Director of Planning and Community Development, shared with the Board the increase recently in the number of applications for Special Use Permits for various size package wastewater treatment (decentralized) facilities that have a non-point discharge to appropriate sized drainfields. While County staff consider these facilities to be public utilities, and therefore subject to Special Use Permit review and approval, there have been questions raised by the development community as to at what threshold, and under what criteria, does such a treatment facility become a public utility. Staff believes that there is a need to clarify the County’s intent and is proposing amendments to the language in the zoning ordinance for this purpose.

After discussion and consideration staff felt that it would be appropriate to use figures similar to those used for public water systems as defined in Chapter 25 and the development of which are covered under Chapter 22. In the zoning ordinance these systems are defined as serving three (3) or more structures, dwellings or equivalent residential connections (ERC’s). Based on an estimated flow of 300 gallons per day for a single family dwelling staff initially proposed to set the threshold to require a Special Use Permit for this type of system at three (3) ERC’s or 900 gallons per day. After further discussion with the Virginia Department of Health (VDH) it was decided to recommend 1200 gallons per day as the threshold due to the fact that 1200 gallons

per day is the threshold that VDH uses to designate a drainfield as a mass drainfield, thereby making our requirement consistent with VDH.

It is also recommended that the definition of Public Utility be amended to include point or non-point, as well as on-site and off-site discharge sewer treatment systems. The definition of Public Sewerage System is proposed to be amended to include the new thresholds as well as include language making the definition applicable to both multiple users and the general public. Language has also been added to Public Sewerage System making it a requirement that these systems meet Chapter 22 standards.

RECOMMENDATION:

Staff respectfully requests comments and direction from the Board of Supervisors concerning the proposed ordinance amendments.

ARTICLE I. GENERAL PROVISIONS

DIVISION 3. DEFINITIONS

Sec. 25-40. Principal definitions of the Zoning Ordinance.

Public sewerage system. Any sewerage system, either on-site or off-site, that serves three (3) or more structures, dwellings, or equivalent residential connections (ERC's). Such systems having a treatment capacity of 1,200 gallons per day or more of sewage effluent shall require a Special Use Permit in accordance with the provisions of this chapter. Such sewerage systems may be owned or operated by Franklin County, any incorporated town or place within Franklin County, a state-chartered authority, private utility or, sanitary district, or any other present or future body having authority under State Code to provide sewer service to multiple users or the general public. that operates or will operate in the county, and any future agency or agent of the county. These systems may result in a point discharge and must be approved by the State Health Department and the State Water Control Board as approved by the Virginia Department of Environmental Quality, or they may result in a discharge into a drainfield area as approved by the Virginia Department of Health. Public sewerage systems shall meet all the standards and requirements of Franklin County Code Chapter 22.

Public utilities. Publicly or privately owned pPublic service structures such as power plant substations; water lines; , water tanks, on- or off-site water treatment plants or pumping stations; ; on-site or off-site sewage disposal systems, pumping stations, and treatment plants, and public sewerage systems having either a point discharge or discharging into a drainfield as approved by the Virginia Department of Health or the Virginia Department of Environmental Quality, and meeting all State, Federal and local codes and regulations.; or such similar operations, publicly or privately owned, furnishing electricity, gas, rail transport, communication or related services to the general public or the public within a defined service area. Publicly or privately owned off-site water tanks, water treatment plants, water pumping stations; power plant substations; on-site or off-site sewage disposal systems or sewage treatment plants having a treatment capacity of 1,200 gallons per day or more of sewage effluent, and having either a point discharge or discharge into a drainfield; or other public utilities furnishing electricity, gas, rail transport, communication or related services to the general public or the public within a defined service area shall be approved by special use permit in designated zoned areas of Franklin County.

On-site sewerage system. A sewerage system designed not to result in a point-source discharge, including individual septic tanks used by the main dwelling or structure on an individual lot, or a sewage treatment plant and approved by the health department and meeting all requirements and standards of Franklin County Code Chapter 22.

Two (2) different subcategories of system specifically recognized:

(a) Individual On-Site Sewerage System: A wastewater treatment system included on an individual lot or parcel on which the health department has approved an individual septic tank or similar other wastewater treatment system to serve a structure, a single-family dwelling or duplex dwelling along with a septic system drainfield to serve a structure, a single-family dwelling or duplex dwelling.

(b) Mass Drainfield On-Site Sewerage System: A wastewater treatment system on a lot or common area or parcel that is normally separated from residential or other subdivision lots that may or may not be contiguous. Both septic tank or sewage treatment plant and drainfield serve multiple units of residential uses or other uses.

DIVISION 3. WESTLAKE VILLAGE CENTER OVERLAY DISTRICT

Sec. 25-493. Permitted uses.

The uses permitted in the Village Center Overlay District shall be those permitted in the underlying zoning district and also the following uses. Where there is a conflict between the uses provided in the underlying zoning district and the uses provided below, the more inclusive list shall apply, unless such use is in the list of prohibited uses found in section 25-494 below.

- Agriculture
 - Churches
 - Community Center
 - Day Care Centers
 - Eldercare centers, homes, facilities (licensed)
 - Emergency Service Facilities - Fire and Rescue
 - Homes for the developmentally disabled
 - Hospitals
 - Libraries
 - Nursing Homes
 - Parks
 - Playgrounds
 - Post Office
 - ~~Public utilities—Water and/or sewer systems and appurtenances.~~
 - Schools, public or private
 - Senior citizen centers
- (Ord. of 7-16-02(2); Ord. of 11-19-04)

(RESOLUTION #20-01-2006

BE IT THEREFORE RESOLVED by the Board to approve staff’s recommendation and forward the proposed Zoning Ordinance amendments as submitted to the Planning Commission and authorize staff to advertise for public hearing during the February 21st, 2006 meeting.

MOTION BY: David Hurt
SECONDED BY: Charles Wagner
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

SEPTIC TANK PUMP-OUT

Bob Camicia, advised the Board The Tri-County Lake Administrative Commission was asked to review a proposed ordinance and provide its’ recommendations back to the Board of Supervisors for its potential adoption. The Environmental Committee, Chaired by Mr. Bob Camicia, has reviewed and made some recommendations on the draft ordinance which is attached. At this point in time, Bedford County has had a presentation on the proposal but has not taken any action other than to refer the issue to the Planning staff and Pittsylvania County has not acted on the issue.

The proposed ordinance proposes that any septic tank or drainfield that is located within 500 feet of the 795 contour of shore on Smith Mountain Lake shall be pumped-out once every five years. In lieu of requiring proof of septic tank pump-out, the County may allow owners of on-site sewage treatment systems to submit to the County an inspection report indicating that the tank does not need to be pumped. If the five year requirement is violated the County notifies the owner to correct the violation within 30 days and if not corrected the County has the work done and charges the owner for the work plus an administrative handling charge of \$150. The draft ordinance also requires that upon transfer of the title of the land and or dwelling that the on-site sewage treatment system serves also must provide the inspection or pump-out report.

Staff has spoken with representatives of the Chesapeake Bay Local Assistance Program who have indicated that while Chesapeake Bay localities are required to pump-out septic tanks or have them inspected every five years much like this proposed ordinance, those localities have no such requirement upon a sale of the property to their knowledge. Staff is concerned about how to enforce that requirement since the Clerk of the Circuit Court cannot refuse to record any deed presented to her that is properly notarized. She does not have the legal ability to refuse to record it if it does not have the required septic inspection report. In order to enforce this requirement, County staff would have to be provided to review every transfer that goes through the County to determine if it in fact falls within 500 feet of Smith Mountain Lake and if so, was the proper certification provided.

Also provided is an email from the Chesapeake Bay Assistance Program staff which provides the model language for the inspection component used by many localities. That requirement is simpler than the one in our draft ordinance and so the Board should think through how specific that inspection requirement should be if it decides to move forward.

At this point, the staff does not know how many sewage treatment systems with a septic tank or drainfield are located within 500 feet of the 795 contour of Smith Mountain Lake. We have been able to determine that there are 7,685 parcels that meet that criteria that would be affected by this proposed ordinance.

All existing parcels with a tank, a one time \$25.00 registration fee applied to the permit would help build a data base, monitor the program and E & S person for this program.

Also, Russ Johnson spoke briefly regarding the fast systems/Montgomery Farms.

RECOMMENDATION:

Staff presents the draft ordinance for the Board’s discussion and direction. If the Board decides to move forward, staff recommends that the requirement to pump-out or inspect upon the sale of the home be removed from the draft ordinance unless additional resources are provided in order to monitor all transfers within the County. Additionally, monitoring the five year cycle will require additional staff resources which we will need to discuss.

(RESOLUTION #21-01-2006

BE IT THEREFORE RESOLVED by the Board to advertise the draft Septic Tank Pump Out Ordinance for a public hearing as submitted with the added verbiage to include a tank registration fee

MOTION BY: Russ Johnson
SECONDED BY: Charles Poindexter
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

CLOSED MEETING

(RESOLUTION #22-01-2006)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-3, Acquisition of Land, a-5, Discussion of a Prospective New Business or Industry, and a-6, Discussion of the negotiation or award of a contract involving the expenditure of public funds, of the Code of Virginia, as amended.

MOTION BY: Hubert Quinn
SECONDED BY: Charles Wagner
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

MOTION: Charles Wagner
SECOND: Hubert Quinn

RESOLUTION: #23-01-2006
MEETING DATE January 17th, 2006

WHEREAS, the Franklin County Board of Supervisors has convened an closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act: and

WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this Franklin County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Supervisors hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Franklin County Board of Supervisors.

VOTE:
AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn, & Angell
NAYS: NONE
ABSENT DURING VOTE: NONE
ABSENT DURING MEETING: NONE

Chairman Wayne Angell recessed the meeting for the previously advertised public hearings as follows:

PETITION of Edgewater Associates, LLC, as Petitioner and Owner, to request an Amendment to the approved Special Use Permit dated May 20, 2003 to remove Condition #16

and amend Condition #2 to allow lot owners of the new section Three of Edgewater Subdivision to use the common area and to clarify the intent of the Special Use Permit. The property is currently zoned A-1, Agricultural. The future land use map of the adopted Comprehensive Plan designates this area as Low Density Residential which allows for gross densities of one to two dwelling units per acre. The property is located on State Route 942, Bluewater Drive, in the Gills Creek Magisterial District of Franklin County, and is identified on Franklin County Real Estate Tax Records as Tax Map # 32, Parcel #'s 4.1 through 4.34; and Tax Map # 32, Parcel #'s 5.1 through 5.14.

Jim Gilbert, Attorney, presenting Edd Water development. Mr. Gilbert stated he would like to delay the petition of Edgewater Associates for up to 90 days.

(RESOLUTION #24-01-2006)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to delay action on the advertised petition until the April 18th, 2006.

MOTION BY: Russ Johnson

SECONDED BY: Hubert Quinn

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

PUBLIC COMMENT/FRANKLIN COUNTY YOUTH CENTER

Ryan Cornett, Senior, Ferrum College, advised the Board the Franklin County Youth Center is a non-profit organization founded in 2004 by Michael Patterson, Sr. The purpose of the center is to provide educational and recreational opportunities for area youth in order to enhance their lives as well as the lives of their families. The center will offer after school tutoring, mentoring programs, and various recreational events. Our goals are to provide structured activities in a safe and positive environment, to provide skills that will help our youth transition from school to work, and to help keep children off the streets and off of drugs while promoting the importance of a good education. The center will also teach children to give back to their community through community service projects that will enhance the child's self-esteem, behavior, respect, and confidence. The youth center will, with the assistance of local students, parents, and the community, strive to overcome the challenges children face daily in our area.

Beginning in 2006, we plan to launch an after school program that will offer mentoring for at-risk youth, tutoring from experienced teachers or other individuals, numerous recreational activities, and community service projects that will instill a sense of pride and respect in our youth. Through these activities we will reduce drop-out rates, reduce acts of juvenile delinquency, reduce drug abuse, and increase school attendance and grades. This is a program that we believe will expand in future years both in the number of individuals served in our county and the number of individuals served in other areas. We are already partnered with the local school system and the Virginia Cooperative Extension in an effort to achieve the maximum level of success imaginable.

Our center will benefit low and moderate income children by providing them with a safe and educational environment they can come to in the after school hours. Our programs will be offered to all students regardless of race, ethnicity, gender, or economic status. FCYC services are geared toward assisting members of our community who are of low or moderate income levels and can not afford other programs offered in the area. Clients will receive our services at low or no costs so those who could not usually afford tutoring or mentoring will have those services available to them.

Currently we lack the funds and the facility to partner with other agencies and organizations who share similar interests. Funding for a new facility that will be large enough to accommodate our programs and be effective in providing these services to the community is the biggest obstacle our center currently faces. We are addressing this need by applying for grants and organizing fund-raisers. Once we overcome this hurdle our center will flourish and undoubtedly become an asset to this community.

Numerous individuals realize the challenges our youth face daily and want to become involved with our programs. We, as a community, know that with extra support, guidance, and encouragement these children will be empowered to overcome these obstacles. Our mission is to provide our students with the tools they need to be successful in school, at home, and in life.

In the upcoming months we will continue to meet with our architect and pursue our vision of a new youth center in Franklin County specifically designed for at-risk and underprivileged children. We hope that each of you are as excited about this as we are and that you will offer your support of the youth center.

PUBLIC COMMENT/BOATING SAFETY TASK FORCE RECOMMENDATIONS

Bruce Dungan, addressed the Board on the Boating Safety Task Force Recommendations. Mr. Dungan urged the Board's support on the Boating Safety Task Force recommendations. Mr. Dungan

(RESOLUTION #25-01-2006)

BE IT THEREFORE RESOLVED by the Board to direct staff in forwarding a letter of endorsement to adopt the Boating Safety Task Force recommendations.

MOTION BY: Charles Poindexter

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

PETITION of Frank T. Kelley and Robert L. Kelley, as Petitioner and Owner, requesting a Special Use Permit for a +/-1.00 acre, a portion of +/-317.410 acres, currently zoned A-1, Agricultural, for the purpose of an automobile graveyard. The future land use map of the adopted Comprehensive Plan for Franklin County designates this area as Agriculture and Forestry/Rural Residential with a density level based on the carrying capacity of the land. The property is located on Old Hollow Lane, off of State Route 116, Jubal Early Highway, in the Boone Magisterial District of Franklin County, and is identified on Franklin County Real Estate Tax Records as a portion of Tax Map # 10, Parcel # 47.

John Boitnott, Attorney, presented the petitioner's request for a Special Use Permit.

Mr. Boitnott shared with the Board letters received in support of the project by Prince E. Thornton, Jr. and Todd P. Rothrock, Jr.

THE FOLLOWING PEOPLE SPOKE IN OPPOSITION OF THE PROPOSED PETITION:

Frank Plunkett

Frank Selbe

Micah Almond

Mike Plunkett

Lorie Ranson

Montel Bock

Lorie McDonald stated she did not have any problem with the petition as advertised.

(RESOLUTION #26-01-2006)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the Special Use Permit with the following conditions in compliance with 25-638:

1. The applicant must obtain a Commercial Entrance Permit from the Virginia Department of Transportation, if applicable.
2. The vehicles shall be stored within the bounds of the staked area that has been located by GPS and indicated on the Franklin County's GIS aerial photo map dated November 18, 2005.
3. Prior to vehicles being stored, all fluids and materials associated with the vehicles will be contained and disposed of in accord with all state and county regulations. Fluid from stored vehicles shall be properly drained into water tight containers appropriate for the fluids prior to being stored in the use area.
4. The stacking of vehicles will be strictly prohibited.
5. The subject property shall not be used as a salvage or other commercial operation.
6. Vehicle batteries shall be removed prior to storage within the use area. Furthermore, battery storage shall be prohibited.
7. The applicant shall provide screening in a manner consistent with Section 20-223 of the Franklin County Code if the area of the property where the vehicles will be stored is located:
 - a. Within 500 feet of Route 116, or
 - b. Within 500 feet of any residence, or
 - c. Within 500 feet of any business or occupied building.
8. The use area shall be kept clear and clean of all rubbish or waste matter.
9. This Special Use Permit and all related activities, is being issued for the sole use of Robert L. Kelley and Frank T. Kelley and is not transferable to any other party (ies).
10. A site plan shall be submitted and approved prior to any activity within the use area.
11. There shall be no more that twenty-five (25) vehicles stored in the use area at any time.
12. No inoperable vehicles, inoperable farm machinery, inoperable industrial equipment, appliances, tires, or auto parts shall be stored in the open anywhere on the property outside of the use area. Any such existing vehicles or items shall be moved to the use area of otherwise allowed by this Special Use Permit, or removed from the property.

13. No tires or auto parts shall be stored within the use area except for those attached to or stored within permitted vehicles.
14. No mobile homes, campers, busses or RV's shall be stored in the use area.
15. For the purposes of this Special Use Permit, boats, farm tractors, major farm equipment, industrial or excavating equipment or machinery shall be considered vehicles and count toward the maximum number of vehicles allowed in the use area.
16. Upon request, the applicant shall permit County staff to inspect the property for compliance with the terms of this Special Use Permit.
17. Upon approval of this Special Use Permit, the applicants must fulfill all conditions within 60 days or the Special Use Permit is null and void.

Special use permits for uses as provided in this chapter may be issued upon a finding by the Franklin County Board of Supervisors that such use will not be of substantial detriment to adjacent property, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the purpose and intent of this chapter, with the uses permitted by right in the zoning district, with additional regulations provided in sections 25-111 through 25-137, supplementary regulations, and amendments, of this chapter, and with the public health, safety and general welfare.

MOTION BY: David Hurt

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Poindexter, Wagner, Quinn & Angell

NAYS: Johnson

PETITION of Fiddlestix Holdings, LLC, as Petitioner and Owner, to request a rezone of approximately +/- 2.890 acres from A-1, Agricultural District to B-2, Business District General, for the purpose of mixed use retail and professional office space. The future land use map of the adopted Comprehensive Plan for Franklin County designates this area of State Route 616 as Rural Village Center and does not set forth a density range. The property is located on State Route 616, Morewood Road, in the Westlake Overlay District, in the Gills Creek Magisterial District of Franklin County, and is identified on Franklin County Real Estate Tax Records as Tax Map # 30, Parcel # 10.

Clyde Perdue, Attorney, presented the petitioner's request.

Charles Jordon, felt the rezoning should be B-1 rather than B-2 and parking problems at turnarounds and felt staff should look at the concept plan further.

(RESOLUTION #27-01-2006)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve with conditions and proffers as follows and in accordance with § 15.2-2283. Purpose of zoning ordinances. Zoning ordinances shall be for the general purpose of promoting the health, safety or general welfare of the public and of further accomplishing the objectives of § 15.2-220.

1. Prefabricated buildings with vertical metal siding shall be prohibited.
2. The design of any future building shall relate to adjacent development that is considered to be contributing to the character of Westlake Village by the use of complementing forms and materials to create continuity with the village area. Materials for exterior walls shall include, but not limited to, brick and wood clapboards, and walls will be articulated through the use of window and door opening, belt courses, pilasters and other similar architectural treatments. All individual building elevations that are visible from a public right of way shall use similar materials.
3. Roofing materials for pitched roofs shall be metal or composite shingle. Flat roofs shall have a parapet wall tall enough in height to screen any roof mounted mechanical equipment. Buildings with flat roofs shall have a decorative cornice at the top of all walls.
4. Architectural detail shall be incorporated to create architectural character. Detail includes highlighting foundations, lintels, sills and cornices with contrasting materials and breaking up the mass of the building with bands at floor levels or projections at entries.
5. Windows and doors shall have a regular pattern of solids and voids that are consistent throughout individual buildings.
6. Building elevations shall be included with any site plan submission.
7. The applicant shall construct all necessary traffic improvements as required by the Virginia Department of Transportation to serve the entrance as shown on "Concept Plan prepared for Rezoning Application Fiddlestix Holdings, LLC", prepared by Barnes, Grogan, Bower and Taylor Design Group, PC, and dated November 10, 2005.
8. The property will be developed in substantial conformance with the Concept Plan prepared by Barnes, Grogan, Bower and Taylor Design Group, PC, dated November 10, 2005; provided, however, in the event the adjoining property (Tax Map/Parcel # 30-9 located on the northern boundary line of the subject property) should be rezoned to effect that the

opaque landscape buffer is not required between the two properties, then, in such event the opaque landscape buffer may be removed by the applicant or assigns.

9. The permitted uses listed in Section 25-335 of the Franklin County Zoning Ordinance will be allowed by right except for the following uses:

- Garages, for repair of automobiles, recreational vehicles, motorcycles, trucks
- Gasoline stations.
- Greenhouses and Nurseries.
- Mobile Home Sales.
- Printing plants, newspapers only.
- Radio and Television Stations.
- Sales, service and repair of automobiles, trucks, recreational vehicles, motorcycles, farm equipment, motors, mobile homes and construction equipment,.
- Stable, commercial riding.

10. The applicant will, to the extent possible, coordinate with the owner of the adjoining Tax Parcel # 30-12.1, to provide for vehicular connectivity.

MOTION BY: Russ Johnson
SECONDED BY: Hubert Quinn
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

PETITION of Randall V. Hodges and Sue M. Hodges, as Petitioner and Owner, requesting a Special Use Permit for +/- 4.00 acres, a portion of +/- 76.859 acres, for the purpose of a wood products lot to process wood materials and the sales of mulch, firewood, and top soil. The property is currently zoned A-1, Agricultural. The future land use map of the adopted Comprehensive Plan designates this area as Low Density Residential which allows for gross densities of one to two dwelling units per acre. The property is located off of State Route 122 on Crabtree Lane just north of State Route 634, Harmony School Road, in the Gills Creek Magisterial District of Franklin County and is identified on Franklin County Real Estate Tax Records as a portion of Tax Map # 29, Parcel # 9.

Randy Hodges presented his special use permit request.

THE FOLLOWING PEOPLE SPOKE IN OPPOSITION OF THE PROPOSED PROJECT

Joe Newbill
Bruce Harrison
Tom Newbill
Rachel Robertson
Girt Getstell
Robyn Cooper

THE FOLLOWING PEOPLE SPOKE IN SUPPORT OF THE PROPOSED PROJECT

Bill Brush

(RESOLUTION #28-01-2006)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to deny special use permit as advertised.

MOTION BY: David Hurt
SECONDED BY: Charles Wagner
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Wagner, Quinn & Angell
NAYS: Poindexter & Johnson

THE MOTION PASSES WITH A 5-2 VOTE

(RESOLUTION #29-01-2006)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-3, Acquisition of Land, a-5, Discussion of a Prospective New Business or Industry, a-6, Discussion of the negotiation or award of a contract involving the expenditure of public funds, of the Code of Virginia, as amended.

MOTION BY: Russ Johnson
SECONDED BY: Charles Wagner
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

MOTION: David Hurt
SECOND: Leland Mitchell
RESOLUTION: #30-01-2006
MEETING DATE: January 17th, 2006

WHEREAS, the Franklin County Board of Supervisors has convened an closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act: and

WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this Franklin County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Supervisors hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Franklin County Board of Supervisors.

VOTE:

AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn, & Angell

NAYS: NONE

ABSENT DURING VOTE: NONE

ABSENT DURING MEETING: NONE

Chairman Angell adjourned the meeting until ***Tuesday, January 24th, 2004 @ 6:00 P.M.*** at the Workforce Development Multi Purpose Room for a CIP Worksession.

W. WAYNE ANGELL
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR